

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

4/13/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR NO. 05-00100DAE
CASE NAME: United States of America Vs. Alan K. Nohara
ATTYS FOR PLA: Kenneth M. Sorenson and Agent Rory Fujimoto
ATTYS FOR DEFT: Alexander Silvert
INTERPRETER:

JUDGE: David Alan Ezra

REPORTER: Cynthia Fazio

DATE: 4/13/2006

TIME: 9:50am-10:16am

COURT ACTION: EP: Sentencing to Count 5 of the Indictment and Government's Motion for Downward Departure-Defendant present in Custody. (NON-CONTESTED HEARING)

Court accepts the Plea Agreement.

The Court adopts the presentence investigation report without change.

Government's Motion for Downward Departure-is hereby Granted. (9:56am-9:59am)

Defendant addresses the Court.

Sentence as to Count 5 of the Indictment

Imprisonment-150 Months.

Mittimus Forthwith.

Court Recommendations- 1. FCI Oxford
2. FCI Engelwood
3. 500 Hour Comprehensive Drug Program
4. Educational/Vocational Program

Supervised Release-10 Years

Special Conditions of Supervised Release-

1. That the defendant shall abide by the standard conditions of supervision.
2. That the defendant not commit any crimes, federal, state, or local (mandatory condition).
3. That the defendant not possess illegal controlled substances (mandatory condition)
4. That the defendant shall cooperate in the collection of DNA as directed by the probation officer.
5. That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the terms of supervision (mandatory condition).
6. That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
8. That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

No Fine.

Special Assessment-\$100.00

Defendant advised of his right to appeal.

Government's Oral Motion to Dismiss Counts 1 through 4-is hereby Granted.

Submitted by Leslie L. Sai, Courtroom Manager